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10/713,726	11/13/2003	Timothy Alan Dietz	AUS920030425US1	2698

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EXAMINER	
SANDERS, AARON J	

ART UNIT	PAPER NUMBER
2168	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/713,726	DIETZ ET AL.	
	Examiner	Art Unit	
	Aaron Sanders	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 December 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11 and 17-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11 and 17-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 September 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant's amendment filed 3 December 2007 has been entered. Claims 1-11 and 17-25 are pending. Claim 2 is amended. Claims 12-16 are canceled. Claims 21-25 are new. This action has been made FINAL.

Information Disclosure Statement

The information disclosure statement filed 13 November 2003 fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

Applicant is advised to use form PTO-1449 to list the relevant art to Applicant's disclosure.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-6 and 17-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As per claims 1-6, the instant claims are directed to software *per se*. Independent claim 1 recites a computer program *per se* and functional descriptive material consisting of data structures and computer programs, which impart functionality when employed as a computer component. As such, the instant claims are not limited to statutory subject matter and are therefore non-statutory. See Diehr, 450 U.S. at 185-86, 209 USPQ at 8.

Specifically, the use of the words "system" or "apparatus" do not inherently mean that the claim is directed to a machine. Only if at least one of the claimed elements of the system is a physical part of a device can the system as claimed constitute part of a device or a combination of devices to be a machine within the meaning of 35 U.S.C. 101. The "means" disclosed in the specification appear to be hardware or software, and thus do not constitute a proper system.

As per claims 17-20, it appears that Applicant is trying to claim a data structure. However, the disclosed data structure is not "a physical or logical relationship among data elements, designed to support specific data manipulation functions" (*The Authoritative Dictionary of IEEE Standards Terms, Seventh Edition*, IEEE Press, 2000). Rather, it is an HTML tag, which is not statutory under 35 U.S.C. 101.

As per claims 21-25, a "computer program" is not statutory under 35 U.S.C. 101. Applicant may be trying to claim a manufacture. Data manipulation is not a manufacture, however, because there is no physical result produced from physical materials. As such, the

instant claims are not statutory under 35 U.S.C. 101. A computer-readable storage medium containing instructions that when executed by a processor cause it to perform the claimed steps is statutory, but Applicant has not claimed that.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Pogrebisky et al., U.S. 5,958,008 (Pogrebisky).

As per claims 1-20, Pogrebisky teaches:

1. *In a World Wide Web (Web) communication network with user access via a plurality of data processor controlled interactive receiving display stations for displaying received hypertext Web documents, transmitted from source sites on the Web, including at least one display page containing text, images and a plurality of embedded hyperlinks, each hyperlink being user activatable to access and display a respective linked hypertext Web document from source sites on the Web, a system for controlling access activity from activated hyperlinks and their respective Web document source sites comprising* (See col. 1, line 66 – col. 2, line 9, "a software package ('Web site analysis program') is provided which includes a variety of features for facilitating the management and analysis of Web sites. In the preferred embodiment, the program

runs on a network-connected PC under the Windows® 95 or Windows® NT operating system, and utilizes the standard protocols and conventions of the World Wide Web ('Web')"):

means at said source sites for prioritizing said plurality of embedded hyperlinks in a Web document (See Fig. 4, col. 16, lines 27-44, "FIG. 4 illustrates a split-screen mode which allows the user to view a graphical representation of the Web site in an upper window 76 while viewing a corresponding textual representation (referred to as 'List View') in a lower window 78... Each line of text displayed in the List View window 78 represents one node of the site map, and includes various information about the node," and col. 16, line 59 – col. 17, line 7, "In addition, by clicking on the headers 82 of the separation bar 80, the user can view the listed URLs in a sorted order" where the claimed "source site" is the referenced "Web site," the claimed "prioritizing" is the referenced "clicking on the headers," and the claimed "embedded hyperlinks in a Web document" are the referenced "listed URLs"); *and*

means for applying said prioritization in the determination of the order in which the Web documents linked to the activated embedded hyperlinks in said Web document are to be accessed (See Fig. 4 and col. 16, line 59 – col. 17, line 7, "Likewise, whenever the user selects a line in the List View window 78, the corresponding node is automatically highlighted in the upper window 76... For example, if the user clicks on the 'in links' header, Astra will automatically sort the list of URLs according to the number of incoming links, and then display the sorted listing in the List View window 78" where the claimed "applying" is the referenced "automatically sort[ing]," the claimed "documents linked to the activated embedded hyperlinks in said Web document" is the referenced "list of URLs," and the claimed "hyperlinks" are "accessed" when the referenced "user selects a line in the List View window").

2. *The Web communication network of claim 1 further including:*

a document source site network comprising:

a plurality of the source sites from which said Web documents linked to said prioritized hyperlinks are accessed (See Fig. 11 and col. 23, lines 26-47, "Depicted in the drawing is a client computer 92 communicating with a Web site 113 over the Internet 110 via respective TCP/IP layers 108, 178"); *and*

a service manager server system for accessing Web documents linked to said prioritized hyperlinks (See Fig. 11 and col. 23, lines 26-47, "The Web site 113 includes a Web server application 112 which interoperates with CGI scripts (shown as layer 180) to generate Web pages on-the-fly");

wherein said means for applying said prioritization is at said service manager server system (See Fig. 11 and col. 23, lines 26-47, "As illustrated, the Web browser 170 is configured to use the Astra application 94 as an HTTP-level proxy. Thus, all HTTP-level messages (client requests) generated by the Web browser 170 are initially passed to Astra 94, which in-turn makes the client requests on behalf of the Web browser").

3. *The Web communication network of claim 1 wherein said each of said Web documents further includes a hypertext markup language tag associated with each of said prioritized hyperlinks indicative of the priority level of the associated hyperlink* (See col. 6, lines 52-65, "In addition to specifying how the Web browser is to display the document, HTML tags can be used create hyperlinks to other Web documents").

4. *The Web communication network of claim 3 further including means associated with a source site of a Web document enabling an interactive user at the source Web site to designate a*

priority level for each of the hyperlinks (See Fig. 4 and col. 16, line 59 – col. 17, line 7, "by clicking on the headers 82 of the separation bar 80, the user can view the listed URLs in a sorted order").

5. *The Web communication network of claim 4 wherein said means for designating a priority level for each of said hyperlinks are enabled to change any previously designated priority levels for said hyperlinks* (See Fig. 4 and col. 16, line 59 – col. 17, line 7, "For example, if the user clicks on the 'in links' header, Astra will automatically sort the list of URLs according to the number of incoming links, and then display the sorted listing in the List View window 78").

6. *The Web communication network of claim 5 wherein said changes in any previously designated priority levels are applicable to the priority levels in previously distributed copies of said Web document* (See Fig. 4 and col. 16, line 59 – col. 17, line 7, "For example, if the user clicks on the 'in links' header, Astra will automatically sort the list of URLs according to the number of incoming links, and then display the sorted listing in the List View window 78").

7. *In a Web communication network with user access via a plurality of data processor controlled interactive receiving display stations for displaying received hypertext Web documents, transmitted from source sites on the Web, including at least one display page containing text, images and a plurality of embedded hyperlinks, each hyperlink being user activatable to access and display a respective linked hypertext Web document from source sites on the Web, a method for controlling access activity from activated hyperlinks and their respective Web document source sites comprising* (See col. 1, line 66 – col. 2, line 9, "a software package ('Web site analysis program') is provided which includes a variety of features for

facilitating the management and analysis of Web sites. In the preferred embodiment, the program runs on a network-connected PC under the Windows® 95 or Windows® NT operating system, and utilizes the standard protocols and conventions of the World Wide Web ('Web')");

prioritizing said plurality of embedded hyperlinks in a source Web document at a source site (See Fig. 4, col. 16, lines 27-44, "FIG. 4 illustrates a split-screen mode which allows the user to view a graphical representation of the Web site in an upper window 76 while viewing a corresponding textual representation (referred to as 'List View') in a lower window 78... Each line of text displayed in the List View window 78 represents one node of the site map, and includes various information about the node," and col. 16, line 59 – col. 17, line 7, "In addition, by clicking on the headers 82 of the separation bar 80, the user can view the listed URLs in a sorted order" where the claimed "source site" is the referenced "Web site," the claimed "prioritizing" is the referenced "clicking on the headers," and the claimed "embedded hyperlinks in a source Web document" are the referenced "listed URLs"); *and*

applying said prioritization in the determination of the order in which the Web documents linked to the activated embedded hyperlinks in said Web document are to be accessed (See Fig. 4 and col. 16, line 59 – col. 17, line 7, "Likewise, whenever the user selects a line in the List View window 78, the corresponding node is automatically highlighted in the upper window 76... For example, if the user clicks on the 'in links' header, Astra will automatically sort the list of URLs according to the number of incoming links, and then display the sorted listing in the List View window 78" where the claimed "applying" is the referenced "automatically sort[ing]," the claimed "documents linked to the activated embedded hyperlinks in said Web document" is

the referenced "list of URLs," and the claimed "hyperlinks" are "accessed" when the referenced "user selects a line in the List View window").

8. *The Web communication method of claim 7 further including the step of:*

inserting in each of said Web documents a plurality of hypertext markup language tags each associated with each of said prioritized hyperlinks and indicative of the priority level of the associated hyperlink (See col. 6, lines 52-65, "In addition to specifying how the Web browser is to display the document, HTML tags can be used create hyperlinks to other Web documents").

9. *The Web communication method of claim 8 further including the step of enabling an interactive user at the source site of a Web document to designate a priority level for each of the hyperlinks* (See Fig. 4 and col. 16, line 59 – col. 17, line 7, "by clicking on the headers 82 of the separation bar 80, the user can view the listed URLs in a sorted order").

10. *The Web communication method of claim 9 wherein said step of designating a priority level for each of said hyperlinks may be applied to change any previously designated priority levels for said hyperlinks* (See Fig. 4 and col. 16, line 59 – col. 17, line 7, "For example, if the user clicks on the 'in links' header, Astra will automatically sort the list of URLs according to the number of incoming links, and then display the sorted listing in the List View window 78").

11. *The Web communication method of claim 10 wherein said step of changing any previously designated priority levels is applicable to change the priority levels in previously distributed copies of said Web document* (See Fig. 4 and col. 16, line 59 – col. 17, line 7, "For example, if the user clicks on the 'in links' header, Astra will automatically sort the list of URLs

according to the number of incoming links, and then display the sorted listing in the List View window 78").

17. *A Web hypertext document including at least one display page containing text, images and a plurality of embedded hyperlinks, each hyperlink being user activatable to access and display a respective linked hypertext Web document from source sites on the Web further including* (See col. 2, lines 10-26, "the program includes Web site scanning routines which use conventional webcrawling techniques to gather information about the content objects (HTML documents, GIF files, etc.) and links of a Web site via a network connection"):

a hypertext markup language tag associated with each embedded hyperlink indicating the priority of each hyperlink in the determination of the order in which the Web documents linked to the activated embedded hyperlinks in said Web document are to be accessed (See Fig. 4, col. 6, lines 52-65, "During a document authoring stage, the HTML codes (referred to as 'tags') are embedded within the informational content of the document. When the Web document (or 'HTML document') is subsequently transmitted by a Web server to a Web browser, the codes are interpreted by the browser and used to parse and display the document," and col. 16, line 59 – col. 17, line 7, "In addition, by clicking on the headers 82 of the separation bar 80, the user can view the listed URLs in a sorted order" where the claimed "tag" could be the tag "<A>," which is "associated with" a hyperlink, i.e. <A HREF="URL">, and indicates an equal "priority" of all URLs, which would be used by the user when making a "determination" of the "order" of the hyperlinks by "clicking on the headers").

18. *The Web document of claim 17 wherein said Web document is a source Web document at a source Web site* (See col. 18, lines 42-52, "The Web servers 112 may, for

example, run on a single computer, run on multiple computers located at a single geographic location (which may, but need not, be the location of the client computer 92)").

19. *The source Web document of claim 18 further including means for changing the priority indication in each of said tags* (See Fig. 4 and col. 16, line 59 – col. 17, line 7, "by clicking on the headers 82 of the separation bar 80, the user can view the listed URLs in a sorted order").

20. *The source Web document of claim 19 further including means for applying changes in any previously designated priority levels to the priority levels in previously distributed copies of said source Web document* (See Fig. 4 and col. 16, line 59 – col. 17, line 7, "For example, if the user clicks on the 'in links' header, Astra will automatically sort the list of URLs according to the number of incoming links, and then display the sorted listing in the List View window 78").

21. *A computer program comprising a computer useable medium having a computer readable program for controlling access activity from activated hyperlinks and their respective Web document source sites in a World Wide Web (Web) communication network with user access via a plurality of data processor controlled interactive receiving display stations for displaying received hypertext Web documents, transmitted from source sites on the Web, including at least one display page containing text, images and a plurality of embedded hyperlinks, each hyperlink being user activatable to access and display a respective linked hypertext Web document from source sites on the Web, wherein the computer readable program when executed on a computer causes the computer to* (See col. 1, line 66 – col. 2, line 9, "a software package ('Web site analysis program') is provided which includes a variety of features

for facilitating the management and analysis of Web sites. In the preferred embodiment, the program runs on a network-connected PC under the Windows® 95 or Windows® NT operating system, and utilizes the standard protocols and conventions of the World Wide Web ('Web')").

prioritize said plurality of embedded hyperlinks in a source Web document at a source site (See Fig. 4, col. 16, lines 27-44, "FIG. 4 illustrates a split-screen mode which allows the user to view a graphical representation of the Web site in an upper window 76 while viewing a corresponding textual representation (referred to as 'List View') in a lower window 78... Each line of text displayed in the List View window 78 represents one node of the site map, and includes various information about the node," and col. 16, line 59 – col. 17, line 7, "In addition, by clicking on the headers 82 of the separation bar 80, the user can view the listed URLs in a sorted order" where the claimed "source site" is the referenced "Web site," the claimed "prioritizing" is the referenced "clicking on the headers," and the claimed "embedded hyperlinks in a source Web document" are the referenced "listed URLs"); *and*

apply said prioritization in the determination of the order in which the Web documents linked to the activated embedded hyperlinks in said Web document are to be accessed (See Fig. 4 and col. 16, line 59 – col. 17, line 7, "Likewise, whenever the user selects a line in the List View window 78, the corresponding node is automatically highlighted in the upper window 76... For example, if the user clicks on the 'in links' header, Astra will automatically sort the list of URLs according to the number of incoming links, and then display the sorted listing in the List View window 78" where the claimed "applying" is the referenced "automatically sort[ing]," the claimed "documents linked to the activated embedded hyperlinks in said Web document" is the

referenced "list of URLs," and the claimed "hyperlinks" are "accessed" when the referenced "user selects a line in the List View window").

22. *The computer program of claim 21, wherein the computer program further causes the computer to:*

insert in each of said Web documents a plurality of hypertext markup language tags each associated with each of said prioritized hyperlinks indicative of the priority level of the associated hyperlink (See col. 6, lines 52-65, "In addition to specifying how the Web browser is to display the document, HTML tags can be used create hyperlinks to other Web documents").

23. *The computer program of claim 22, wherein the computer program further causes the computer to enable an interactive user at the source site of a Web document to designate a priority level for each of the hyperlinks* (See Fig. 4 and col. 16, line 59 – col. 17, line 7, "by clicking on the headers 82 of the separation bar 80, the user can view the listed URLs in a sorted order").

24. *The computer program of claim 23, wherein the computer program further causes the computer to enable said designating a priority level for each of said hyperlinks are enabled to change any previously designated priority levels for said hyperlinks* (See Fig. 4 and col. 16, line 59 – col. 17, line 7, "For example, if the user clicks on the 'in links' header, Astra will automatically sort the list of URLs according to the number of incoming links, and then display the sorted listing in the List View window 78").

25. *The computer program of claim 23, wherein the computer program further causes the computer to change priority levels of previously designated priority levels so as to change the priority levels in previously distributed copies of said Web document* (See Fig. 4 and col. 16, line

59 – col. 17, line 7, "For example, if the user clicks on the 'in links' header, Astra will automatically sort the list of URLs according to the number of incoming links, and then display the sorted listing in the List View window 78").

Response to Arguments

The Examiner has withdrawn the 35 U.S.C. 101 rejections of claims 1-11 concerning the necessity of claiming a tangible result. Applicant has not responded to the 35 U.S.C. 101 rejection of claims 1-6 as being a non-statutory system, and the rejection is maintained.

It appears that Applicant has misunderstood the Examiner's rejection of claims 17-20 under 35 U.S.C. 101. The Examiner is familiar with HTML and it can qualify as a data structure depending on how it is being used in the claim. In claim 17, however, Applicant has claimed a single HTML tag. A single tag is in no way patentable, even as a data structure. A data structure is only patentable if it is "a physical or logical relationship among data elements, designed to support specific data manipulation functions" (*The Authoritative Dictionary of IEEE Standards Terms, Seventh Edition*, IEEE Press, 2000). A single HTML tag cannot be "a physical or logical relationship among data elements, designed to support specific data manipulation functions."

Applicant may be relying on the preamble of claim 17 to show that this single HTML tag is "a physical or logical relationship among data elements, designed to support specific data manipulation functions," but this is not persuasive. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*,

535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Applicant's cancellation of claims 12-16 and addition of claims 21-25 has not overcome the 35 U.S.C. 101 rejection concerning a "computer program." A computer program cannot be patented. Applicant may be trying to claim a manufacture. Data manipulation is not a manufacture, however, because there is no physical result produced from physical materials. As such, the instant claims are not statutory under 35 U.S.C. 101. A computer-readable storage medium containing instructions that when executed by a processor cause it to perform the claimed steps is statutory, but Applicant has not claimed that.

As per Applicant's argument that Pogrebisky does not teach, "prioritizing said plurality of embedded hyperlinks in a source Web document at a source site" as recited in claims 1, 7, and 21, the Examiner respectfully disagrees. Specifically, the Examiner cited Fig. 4, col. 16, lines 27-44, "FIG. 4 illustrates a split-screen mode which allows the user to view a graphical representation of the Web site in an upper window 76 while viewing a corresponding textual representation (referred to as 'List View') in a lower window 78... Each line of text displayed in the List View window 78 represents one node of the site map, and includes various information about the node," and col. 16, line 59 – col. 17, line 7, "In addition, by clicking on the headers 82 of the separation bar 80, the user can view the listed URLs in a sorted order" where the claimed "source site" is the referenced "Web site," the claimed "prioritizing" is the referenced "clicking on the headers," and the claimed "embedded hyperlinks in a Web document" are the referenced "listed URLs."

As per Applicant's argument that Pogrebisky does not teach, "means for applying said prioritization in the determination of the order in which the Web documents linked to the activated embedded hyperlinks in said Web document are to be accessed" as recited in claims 1, 7, and 21, the Examiner respectfully disagrees. Specifically, the Examiner cited Fig. 4 and col. 16, line 59 – col. 17, line 7, "Likewise, whenever the user selects a line in the List View window 78, the corresponding node is automatically highlighted in the upper window 76... For example, if the user clicks on the 'in links' header, Astra will automatically sort the list of URLs according to the number of incoming links, and then display the sorted listing in the List View window 78" where the claimed "applying" is the referenced "automatically sort[ing]," the claimed "documents linked to the activated embedded hyperlinks in said Web document" is the referenced "list of URLs," and the claimed "hyperlinks" are "accessed" when the referenced "user selects a line in the List View window."

The Examiner is not contending that the claimed "prioritizing" is equivalent to the referenced "sorting," although the Examiner believes it could be. Rather, the referenced user prioritizes a list of URLs by "clicking on the headers" that have a "priority" to him or her. That "prioritizing" selection is then "applied" (Applicant's claimed step of "applying") to the list of URLs to determine the order in which to list them.

As per Applicant's argument that Pogrebisky does not teach, "a hypertext markup language tag associated with each embedded hyperlink indicating the priority of each hyperlink in the determination of the order in which the Web documents linked to the activated embedded hyperlinks in said Web document are to be accessed" as recited in claim 17, the Examiner respectfully disagrees. Specifically, the Examiner cited Fig. 4, col. 6, lines 52-65, "During a

document authoring stage, the HTML codes (referred to as 'tags') are embedded within the informational content of the document. When the Web document (or 'HTML document') is subsequently transmitted by a Web server to a Web browser, the codes are interpreted by the browser and used to parse and display the document," and col. 16, line 59 – col. 17, line 7, "In addition, by clicking on the headers 82 of the separation bar 80, the user can view the listed URLs in a sorted order" where the claimed "tag" could be the tag "<A>," which is "associated with" a hyperlink, i.e. <A HREF="URL">, and indicates an equal "priority" of all URLs, which would be used by the user when making a "determination" of the "order" of the hyperlinks by "clicking on the headers." While this may not be Applicant's interpretation of the claim limitation, the Examiner is free to apply the broadest reasonable interpretation to the claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Aaron Sanders whose telephone number is 571-270-1016. The Examiner can normally be reached on M-F 9:00a-4:00p.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Tim Vo can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/AJS/
Aaron J. Sanders
Examiner
4 February 2008

TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100